REMARKS

By the present amendment, Applicants have amended claim 40 to more appropriately define the invention. Claims 26-43 are currently pending.

In the last Office Action, the Examiner rejected claims 26-43 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,948,040 to DeLorme et al. (hereinafter, "DeLorme") Applicants respectfully traverse the rejection of claims 26-43 for the following reasons.

REJECTION UNDER 35 U.S.C. § 102(b)

Claims 26-39

A proper case of anticipation under 35 U.S.C. § 102 requires that each and every claim element is found, either expressly or inherently described, in a single prior art reference.

Applicants respectfully traverse the rejection of claims 26-39 as being anticipated by DeLorme. Generally, DeLorme describes a "computerized travel reservation information and planning system that generates 'map ticket' output in various media, for guidance and transactions en route. Such print or electronic documents can include bar or alphanumeric codes for automated recognition and/or access." DeLorme, Abstract. The DeLorme system uses software entitled, "Trip Reservation Information Planning System" (TRIPS). DeLorme, col. 7, ll. 66-67. TRIPS generates an itinerary document on a "laser printer or some similar printing device." DeLorme, col. 8, ll. 55-57. The TRIPS-generated "map/ticket document would be printed with appropriate encoding -- e.g., bar codes . . . ." DeLorme, col. 8, ll. 57-59. "The user would simply pass the

map/ticket document over a scanning device which would 'read' the bar code in order to perform appropriate record keeping and grant access. DeLorme, col. 8, II. 62-64. Thus, the bar code is generated on a piece of paper printed from a laser printer and is read by a scanning device. The system of DeLorme, however, does not read a bar code from "image data displayed on . . . display means of [a] portable terminal," as recited in independent claim 26. Therefore, DeLorme does not disclose, either expressly or inherently, all the elements of claim 26, including at least "an information processing terminal having a bar code reader [that] reads, using its bar code reader, [an] electronic coupon bar code contained in . . . image data displayed on . . . display means of [a] portable terminal."

Furthermore, the focus of DeLorme is a trip reservation information planning system for a current trip and there is no disclosure that information regarding the user (e.g., the user's preferences) is saved. Therefore, DeLorme does not disclose at least that the system "sends new personal information generated by the service to the server so that the new personal information is reflected in the electronic coupon content for the next delivery," as recited in claim 26.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 26. In addition, Applicants respectfully request the Examiner to withdraw the rejection of claims 27-31 based at least on their dependency upon allowable claim 26.

Similarly, DeLorme does not disclose each and every element of claim 39 which, while of different scope, contains similar claim recitations as claims 26. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 32. In

addition, Applicants respectfully request the Examiner to withdraw the rejection of claims 33-39 based at least on their dependency upon allowable independent claim 32.

Claims 40-43

Applicants also traverse the rejection of claims 40-43 by DeLorme. DeLorme discloses TRIPS which "permits a user to custom-define and examine a travel route and/or plans" based upon a user's responses to questions. Because, the actions by TRIPS in generating a map/ticket document are dependent upon the user's responses to questions, DeLorme does not disclose at least that "the image data is automatically delivered based upon a history of the user's accessed internet web pages."

In addition, for the reasons given for the allowability of independent claim 26, claim 40 is also allowable, because DeLorme fails to disclose, either expressly or inherently, at least the claimed " information processing terminal having a bar code reader reads, with its bar code reader, the electronic coupon bar code contained in the image data displayed on the display means of the portable terminal," as recited in claim 40.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 40.

With respect to claims 41-43, because the system of DeLorme prints out the map/ticket document and then scans a bar code on the document, DeLorme fails to disclose, either expressly or inherently, at least "the information processing terminal having a bar code reader recognizes the user's personal information by reading, with the bar code reader, the membership bar code contained in the image data displayed on the display means of the portable terminal," as recited in claim 41.

Furthermore, the focus of <u>DeLorme</u> is a trip reservation information planning system for a current trip and there is no disclosure that information regarding the user is saved. Therefore, <u>DeLorme</u> does not disclose at least that the "information processing terminal . . . sends the purchase history information including the user's personal information and the product information to the server" as recited in claim 41.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claim 41, as well as claims 42 and 43 based at least on their dependency upon allowable claim 41.
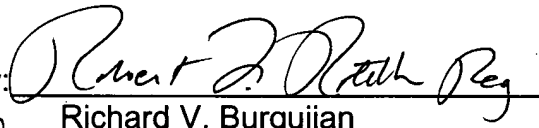
CONCLUSION

In view of the foregoing remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 8, 2004

By: _____
Richard V. Burgujian
Reg. No. 31,744

16